**United States District Court**

For the Northern District of California

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6                  IN THE UNITED STATES DISTRICT COURT

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8                  FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10   BIOTECHNOLOGY VALUE FUND, L.P.,
     BIOTECHNOLOGY VALUE FUND II, L.P.,
11   INVESTMENT 10, L.L.C., BVF
     INVESTMENTS, L.L.C.; BVF INC., and
12   BVF X, LLC,

13          Plaintiffs,                       No. C 13-03248 WHA

14          v.

15   CELERA CORPORATION, CREDIT           **ORDER TO SHOW CAUSE**
     SUISSE SECURITIES (USA) LLC, KATHY   **AS TO NON-PARTY**
16   ORDOÑEZ, RICHARD H. AYERS,           **PHARMACYCLICS, INC.**
     WILLIAM G. GREEN, PETER BARTON
17   HUTT, GAIL M. NAUGHTON, WAYNE I.
     ROE, and BENNETT M. SHAPIRO,
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            Defendants.
19   _____/

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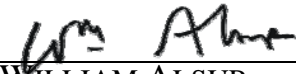21          Today, plaintiffs' counsel filed a three-page letter stating that they subpoenaed certain

22   drug valuation documents from non-party Pharmacyclics, Inc., but that Pharmacyclics refuses to

23   produce those documents because the amended stipulated protective order does not provide

24   sufficient protection (in Pharmacyclics' view).  Among other items, the amended stipulated

25   protective order contains provisions on "Attorneys' Eyes Only" review, which would encompass

26   review by defendants' in-house litigation counsel.  Plaintiffs' counsel further represent that

27   Pharmacyclics had agreed to turn over the valuation documents, but now refuses to do so despite

28   the "Attorneys' Eyes Only" provisions in the amended stipulated protective order.

1          Given this action's discovery cut-off on October 21, 2014, Pharmacyclics is hereby

2    **ORDERED TO SHOW CAUSE** as to why it should not comply with plaintiffs' subpoenas and turn

3    over the sought-after valuation documents.  Pharmacyclics' response to this order to show cause

4    shall be no more than **THREE PAGES**, and is due by **12 PM ON SEPTEMBER 15, 2014**.  In the

5    alternative, Pharmacyclics may bring a proper motion to quash plaintiffs' subpoenas, due by **12**

6    **PM ON SEPTEMBER 15, 2014**.  Plaintiffs' counsel will promptly serve Pharmacyclics with a

7    copy of this order, by first-class mail and e-mail.

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9          **IT IS SO ORDERED.**

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11   Dated:  September 11, 2014.

          WILLIAM ALSUP
12         UNITED STATES DISTRICT JUDGE

**United States District Court**
For the Northern District of California